

CHAPTER NO. 818

HOUSE BILL NO. 64

By Representatives Overbey, Russell Johnson, Walker, Ferguson, Todd, Kent, Shaw, Harry Brooks

Substituted for: Senate Bill No. 30

By Senators Clabough, Burks

AN ACT to amend Tennessee Code Annotated, Section 39-16-510, relative to retaliation for past action.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-16-510, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)

(1) A person commits the offense of retaliation for past action who harms or threatens to harm a witness at an official proceeding, judge, district attorney general, an assistant district attorney general, an employee of the district attorney general or a law enforcement officer, clerk, juror or former juror, or a family member of any such person, by any unlawful act in retaliation for anything the witness, judge, district attorney general, an assistant district attorney general, an employee of the district attorney general or a law enforcement officer, clerk, or juror did in an official capacity as witness, judge, district attorney general, an assistant district attorney general, an employee of the district attorney general or a law enforcement officer, clerk, or juror. The offense of retaliation for past action shall not apply to an employee of a clerk who harms or threatens to harm such clerk.

(2) For purposes of this subsection, "family member" means the spouse, parent, grandparent, stepmother, stepfather, child, grandchild, brother, sister, half-brother, half-sister, adopted children of the parent, or the spouse's parents.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it.

PASSED: May 20, 2004


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 7th day of June 2004


PHIL BREDESEN, GOVERNOR